

PERSONNEL

(ALL CAPS)

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~~1. GENERAL~~

Administrative - INTERNAL Use Only

This handbook sets forth the procedures for processing consultants. ~~It~~

25X1 supplements the policy prescribed in HR ☐

1. ~~X~~ PROCESSING PROCEDURES. *This handbook . . . . .*

a. INITIATION AND APPROVAL OF REQUESTS TO USE CONSULTANTS

(1) The requesting official, having obtained the necessary prior approvals and contact clearances prescribed in HR ☐ shall *will* forward a copy of Executive Order 11222, "Prescribing Standards of Ethical Conduct for Government Offices and Employees," and *extracts of the applicable provisions of Title 18, USC, covering conflicts of interest.* to the prospective consultant and obtain a certification from the individual that they have been read. In addition, the requesting official will obtain a completed Form 444, Personal History Statement; six copies of Form 3297, Authorization to Release Information; and a Form 2553, Statement of Employment and Financial Interests (SEFI). The requesting official ~~shall~~ *will* review the contents of the SEFI to avoid using the consultant subsequently in any areas that might create a conflict-of-interest situation. The using official will complete Form 2552, Certification of Using Official.

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(2) The requesting official will forward a memorandum of justification addressed to the Director of Central Intelligence with the above completed forms attached, through the Deputy Director or Head of Independent Office concerned, to the Director of Personnel. The memorandum of justification should contain the following information:

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- (a) A statement of contemplated duties and responsibilities and frequency of use.
  - (b) An explanation as to why other personnel resources of the component, including any consultants, cannot be used.
  - (c) A statement as to whether the consultant will serve with or without compensation; and if compensation is to be paid, the method of payment (e.g., per day, per consultation).
- (3) The Director of Personnel will forward the memorandum of justification and the completed forms with a recommendation through the Deputy Director for Administration to the General Counsel for review as to possible conflicts of interests.
- (4) If the General Counsel <sup>determines there is no conflict of interest in the use</sup> agrees to the use of the consultant, the approval will be shown on the memorandum of justification and on Form 2552, Certification of Using Official. The memorandum and attachments will be forwarded <sup>to the General Counsel</sup> to the Director of Central Intelligence for approval <sup>to approve the consultant</sup>, contingent upon the granting of a security clearance which will be processed in accordance with HR
- (5) ~~If it is the opinion of~~ <sup>determines</sup> the General Counsel that the proposed use of the consultant could create a conflict-of-interest situation, the General Counsel will so advise the requesting official, through the Deputy Director or Head of Independent Office concerned, and the Director of Personnel.

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b. FINAL PROCESSING OF REQUESTS

- (1) The Office of Personnel will notify the requesting official when the individual has been granted a security approval.

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- (2) The requesting official will notify the Office of Personnel in advance of the date the consultant will report for duty in Washington, D.C.
- (3) The Office of Personnel will make arrangements with the Office of Security for the consultant to be photographed, ~~and~~ fingerprinted, and to receive the required security briefing. The Office of Security may waive the fingerprinting requirement for an individual who is associated with another Federal agency.

~~(4) If a consultant's first use is to be outside the Washington, D.C. area, the Office of Personnel will notify the Office of Security which will arrange for the necessary fingerprinting, photographing, and security briefing.~~

- (4) ~~(X)~~ The Office of Personnel will prepare the consultant contract which will be valid for a period not to exceed the end of the fiscal year.

c. PROCESSING CONTINUATIONS OF PERIOD OF SERVICE

- (1) When the need for a consultant's service continues into a following fiscal year, the using official <sup>will</sup> ~~shall~~ forward <sup>during the month of July</sup> a Form 503, Justification for Consultant, (available from the Office of Personnel) through the Deputy Director or Head of Independent Office concerned to the Director of Personnel, ~~during the month of July.~~
- (2) The Director of Personnel will obtain the approval of the Director of Central Intelligence.

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- (3) Thereafter, the Office of Personnel will forward a contract to the consultant for signature. The consultant will also complete a new Form 2553, Statement of Employment and Financial Interests. The Office of Personnel will forward the <sup>completed Form 2553</sup> Statement of Employment and Financial Interests and a Form 2552, Certification of Using Official, to the using official to complete. Completed Forms 2552 and 2553 will then be forwarded together with Form 503, Justification for Consultant, to the General Counsel for review as to possible conflicts of interest. If the General Counsel agrees to the use of the consultant, such approval will be indicated on Form 2552. Forms 2552, 2553 and 503 will be retained in the individual's consultant file in the Office of Personnel.
- (4) The provisions of subparagraph <sup>1a(5)</sup> ~~2a(5)~~ above are also applicable in processing continuations of service.
- (5) After ~~the~~ legal concurrence has been obtained, the Special Contracting Officer will execute the contract and inform the office concerned.

d. PROCESSING CHANGES IN USE

- (1) If the use of a consultant changes substantially from the use on which the most recent approval was based or if a consultant is used in connection with a different subject matter or project from that contained in the most recent approval, the using official will submit a new Form 503, Justification for Consultant, and a current Statement of Employment and Financial Interests to the Director of Personnel.

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(2) The Director of Personnel will forward the Form 503 with the SEFI to the General Counsel for review as to possible conflict of interest in relation to the changed use of the consultant.

(3) Upon concurrence by the General Counsel, the Director of Personnel will inform the using official.

(4) If the General Counsel does not concur, the General Counsel *so advise the using official or, if appropriate,* will prefer the matter to the Director of Central Intelligence.

*if appropriate, and The using official will be advised, The Director's decision,*

e. PROCESSING OF CHANGES IN RATE OF COMPENSATION

To change the rate of a consultant's compensation, including conversion from WOC basis to compensation status, or vice versa, the using official will submit <sup>a memorandum</sup> to the Director of Personnel, a memorandum request signed by the using official. The approval of the Director of Central Intelligence is not required for such changes <sup>and,</sup> therefore, a memorandum of justification is unnecessary. After approval by the Director of Personnel, a contract amendment will be prepared reflecting the change.

2. TAXES AND WITHHOLDINGS

The Agency will make no deductions or withholdings for income tax. Each consultant receiving compensation will be issued an IRS Form 1099 by the Office of Finance on a calendar year basis or upon termination of the contract. ~~It~~ is the responsibility of the consultant to satisfy ~~both~~ Federal, state, and self-employment tax liabilities.

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3. ~~X~~ TRAVEL AND PER DIEM

Consultants are entitled to payment or reimbursement for travel expenses when traveling between their homes or places of business and Washington, D.C., or other place of duty; and to per diem in lieu of subsistence, including Saturdays, Sundays, and holidays, when away from their residences or places of business on official duty for the Agency. Travel and accountings will be in conformance with Agency regulations.

4. ~~X~~ BENEFITS

Consultants are entitled only to the benefits specified in their contracts.